

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 646
Final Reading

Introduced by Christensen, 44.

Read first time January 19, 2011

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to emergency medical services; to amend sections
2 38-1207, 48-101.01, and 71-8215, Reissue Revised Statutes
3 of Nebraska; to redefine terms; to prohibit expansion of
4 a scope of practice; to repeal the original sections; and
5 to declare an emergency.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-1207, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 38-1207 Emergency medical service means the organization
4 responding to a perceived individual need for ~~immediate~~ medical care
5 in order to prevent loss of life or aggravation of physiological or
6 psychological illness or injury. The amendment of this section by
7 this legislative bill shall not be construed to modify or expand or
8 authorize the modification or expansion of the scope of practice of
9 any licensure classifications established pursuant to section
10 38-1217.

11 Sec. 2. Section 48-101.01, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 48-101.01 (1) Personal injury includes mental injuries
14 and mental illness unaccompanied by physical injury for an employee
15 who is a first responder if such first responder:

16 (a) Establishes, by a preponderance of the evidence, that
17 the employee's employment conditions causing the mental injury or
18 mental illness were extraordinary and unusual in comparison to the
19 normal conditions of the particular employment; and

20 (b) Establishes, by a preponderance of the evidence, the
21 medical causation between the mental injury or mental illness and the
22 employment conditions by medical evidence.

23 (2) For purposes of this section, mental injuries and
24 mental illness arising out of and in the course of employment
25 unaccompanied by physical injury are not considered compensable if

1 they result from any event or series of events which are incidental
2 to normal employer and employee relations, including, but not limited
3 to, personnel actions by the employer such as disciplinary actions,
4 work evaluations, transfers, promotions, demotions, salary reviews,
5 or terminations.

6 (3) For purposes of this section, first responder means a
7 sheriff, a deputy sheriff, a police officer, an officer of the
8 Nebraska State Patrol, a volunteer or paid firefighter, or a
9 volunteer or paid individual licensed under a licensure
10 classification in subdivision (1) of section 38-1217 who provides
11 ~~immediate~~ medical care in order to prevent loss of life or
12 aggravation of physiological or psychological illness or injury.

13 Sec. 3. Section 71-8215, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 71-8215 Emergency medical service means the organization
16 responding to a perceived individual need for ~~immediate~~ medical care
17 in order to prevent loss of life or aggravation of physiological or
18 psychological illness or injury.

19 Sec. 4. Original sections 38-1207, 48-101.01, and
20 71-8215, Reissue Revised Statutes of Nebraska, are repealed.

21 Sec. 5. Since an emergency exists, this act takes effect
22 when passed and approved according to law.